

DD/S 67-6201

30 JUL 67

MEMORANDUM FOR: Deputy Director for Support

SUBJECT : President Johnson's Request for Legislative Proposals

**REFERENCES : (a) Memo dtd 30 Oct 67 to the Heads of Departments
and Agencies fr President Johnson**

**(b) Memo dtd 20 Jan 67 to DD/S fr D/L, subj: New
Legislation**

1. This memorandum, in paragraph 5, recommends action by the Deputy Director for Support.

2. I have reviewed the President's memorandum with a view to surfacing legislative proposals worthy of submission for congressional consideration [Reference (a)].

3. The two proposals which I submitted to you on 20 January 1967 continue to be of prime concern; namely, (1) our continuing interest in a parking bill which will permit the General Services Administration to acquire, construct, and maintain parking facilities for use by Government employees, and (2) legislative provision which will authorize the Agency to provide protective work clothing where needed [Reference (b)].

4. The subject of Agency employee retirement rights and benefits is of personal interest to all Agency personnel. It has been asked why the Agency doesn't authorize the cost for shipment of household goods for Agency employees to a selected home upon retirement. As precedents for such authorization, it has been indicated that members of the Armed Services, as well as Department of State Foreign Service, are authorized to have the cost of the shipment of household goods paid to a home of selection upon retirement (Attachments 1 and 2).

5. It is recommended that the Legislative Counsel be requested to:

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- a. Reindicate our interest in the passage of a bill similar to HR 12861, 89th Congress (Parking Bill).
- b. Continue action to amend the CIA Act of 1949 by specifically authorizing the Agency to purchase and issue protective clothing where needed.
- c. Convey our interest in the formulation and passage of a bill to authorize the shipment of household goods to a home of selection upon retirement of Agency employees.

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George E. Malone
Director of Logistics

2 Acts

transferred on a permanent change of station in conjunction with re-entry into or continuance in the Service.

(Effective 3 September 1965)

★5. SEPARATION FROM THE SERVICE UNDER OTHER THAN HONORABLE CONDITIONS. Except when dependent is returned from overseas to the United States under par. M7103-2, item 8, a member separated from the Service under other than honorable conditions will not be entitled to shipment of household goods.

6. TIME LIMITATION. Entitlement to shipment under this paragraph will terminate in any case where household goods are not turned over to a transportation officer or a carrier for shipment within 1 year following separation from the Service or relief from active duty.

M 8260 RETIREMENT, PLACEMENT ON TEMPORARY DISABILITY RETIRED LIST, DISCHARGE WITH SEVERANCE PAY, OR INVOLUNTARY RELEASE TO INACTIVE DUTY WITH READJUSTMENT PAY

1. SHIPMENT TO HOME OF SELECTION AUTHORIZED. A member on active duty is entitled to shipment of his household goods from his last or any previous duty station, from a designated place in the United States, from storage, or any combination thereof, to the home selected by the member for the purpose of receiving travel allowances for his travel in accordance with par. M4158 when the member:

1. is retired for physical disability or is placed on the temporary disability retired list (without regard to length of service); or
2. immediately following at least 8 years of continuous active duty (with no single break therein of more than 90 days), is retired with pay for any other reason (including transfer to the Fleet Reserve or Fleet Marine Corps Reserve), is discharged with severance pay, or is involuntarily released to inactive duty with readjustment pay.

Except as provided in subpar. 4, the goods must be turned over to a transportation officer or carrier for shipment within 1 year following termination of active duty. Shipment of household goods is authorized to a place other than the member's home of selection, or part to such home and part to some other place, provided that the member shall bear all

costs in excess of the costs of shipment in one lot to his home of selection.

2. SHIPMENT TO HOME OF SELECTION NOT AUTHORIZED. A member on active duty will be entitled to shipment of household goods in accordance with par. M8259 when the member:

1. is retired without pay; or
2. has less than 8 years of continuous active duty immediately preceding retirement for any other reason (other than physical disability), discharge with severance pay, or involuntary release to inactive duty with readjustment pay.

3. STORAGE. A member or a dependent who is entitled to shipment of household goods to a home of selection or to some other place under the conditions outlined in subpar. 1 or 8 will be entitled to nontemporary storage of all or any portion of such household goods in accordance with par. M8101 for a period not to exceed 1 year from the date of termination of active duty. Temporary storage in connection with a shipment from nontemporary storage to the home or other place selected by the member or his dependent under subpar. 1 or 8 is not authorized except when all of the following conditions exist:

1. when necessary because of conditions beyond control of the member, or dependent if applicable;
2. when such conditions arise after shipment from nontemporary storage;
3. when temporary storage is authorized or approved by the transportation officer or such other officer as the Service concerned may designate.

That portion (if any) of a member's household goods which is not placed in nontemporary storage in accordance with this subparagraph may be placed in temporary storage in accordance with par. M8100 in conjunction with the shipment of such goods to the home or other place selected by the member or his dependent under subpar. 1 or 8.

4. MEMBERS UNDERGOING HOSPITALIZATION OR MEDICAL TREATMENT. A member, entitled to shipment of household goods to a home of selection, who is confined in, or undergoing treatment at, a Government hospital (or a civilian hospital at Government expense) on the date of termination of active duty, will be entitled to shipment and storage of household goods under the conditions outlined in subpars. 1 and 3, except that the right to nontemporary

storage and shipment of household goods to a home of selection will accrue until 1 year after the date of discharge from the hospital or termination of medical treatment, or 2 years after the date of termination of active duty, whichever is earlier. Further extension of this time limit may be approved by the Secretary of the service concerned or his designated representative.

5. RECALL TO ACTIVE DUTY PRIOR TO SELECTION OF A HOME. A member who is otherwise eligible to select a home but is recalled to active duty prior to the selection of a home and performance of travel thereto will, upon termination of active duty for any reason under honorable conditions, be entitled to nontemporary storage and shipment of household goods to a home of selection in accordance with subpars. 1 and 3, provided that such goods are turned over to a carrier for shipment within 1 year after the member is last released from active duty. In the event of the member's death subsequent to ultimate release, the provisions of subpar. 8 will apply.

6. RECALL TO ACTIVE DUTY SUBSEQUENT TO SELECTION OF A HOME. A member who is recalled to active duty subsequent to the selection of a home and performance of travel thereto will, upon termination of active duty under honorable conditions, be entitled to shipment of household goods to the home previously selected, or the place from which he was called to active duty, whichever he may elect.

7. MEMBERS ON TEMPORARY DISABILITY RETIRED LIST WHO ARE DISCHARGED OR RETIRED. A member who is on the temporary disability retired list at the time he is discharged with severance pay or retired for any reason (including transfer to the Fleet Reserve or Fleet Marine Corps Reserve) will not be entitled to shipment of household goods in connection with such discharge or retirement. This limitation will not affect the member's right to shipment and storage of household goods to which he was entitled under subpars. 1, 3, and 4 in conjunction with his placement on the temporary disability retired list.

8. MEMBER DIES SUBSEQUENT TO RETIREMENT OR RELEASE

a. After Selection of a Home. In the event a member specified under subpar. 1 dies after he claims personal travel and transportation allowances under par. M4158 for travel to his home of selection, but prior to shipment of his household goods, such goods

may be shipped at Government expense, upon the request of his dependents, to the home selected by the member, to a home or other place selected by his dependents, or partly to each, provided that the dependents shall bear all costs in excess of the costs of shipment in one lot to the home selected by the member. If there are no surviving dependents, such household goods may be shipped to the home of the person legally entitled thereto, provided such person shall bear all costs in excess of the costs of shipment to the home selected by the member. The provisions of this subparagraph also apply when it is established that the member in fact completed travel to his home of selection but died prior to submission of claim for his personal travel and transportation allowances.

b. Prior to Selection of a Home. In the event a member specified under subpar. 1 dies prior to submission of claim for his personal travel and transportation allowances, and it is not established that travel was in fact completed to his home of selection, and provided his household goods have not been shipped, such goods may be shipped at Government expense, upon the request of his dependents, to a home or to some other place selected by his dependents, or partly to each, provided that such dependents shall bear all costs in excess of the costs of shipment in one lot to the home selected by them. If there are no surviving dependents, such household goods may be shipped at Government expense to the home of the person legally entitled thereto.

9. MEMBERS ORDERED TO HOME TO AWAIT DISABILITY RETIREMENT. A member who has been found by a physical evaluation board unfit to perform the duties of his rank or grade and who, for the convenience of the Government, is ordered from a hospital to his home, or a designated place, to await further orders in connection with disability retirement, is entitled to shipment of household goods to his home or the designated place. Shipments made under this subparagraph will not preclude reshipment of such household goods when retirement or other orders ultimately are issued. Such entitlement is subject to adjustment upon final disposition of retirement proceedings so as not to exceed entitlement for the distance from the member's permanent station at the time that he received the orders directing him to proceed in an awaiting orders status to the point to which he is entitled incident to retirement, release from active duty, etc., less any amount previously paid for transportation of household goods to the waiting point.

Approved For Release 2001/09/03 : CIA-RDP81-00831R000600240022-1

180 LAWS AND REFERENCE DOCUMENTS

Excerpts from the more significant laws, executive orders, Treasury regulations and other documents relating to travel and transportation of effects are furnished for information and ready reference. They are not intended as a complete digest of all the laws affecting travel and the transportation of effects. Subchapter 180 does not contain regulations of the Department.

181 Laws Relating to Travel and Transportation of Effects**181.1 Foreign Service Act of 1946, as Amended**

The Foreign Service Act of 1946, as amended, to September 4, 1961 (22 U.S.C. 801 et seq.) provides:

181.1-1 General Travel Provisions

"SEC. 911. The Secretary may, under such regulations as he shall prescribe, pay—

"(1) the travel expenses of officers and employees of the Service, including expenses incurred while traveling pursuant to orders issued by the Secretary in accordance with the provisions of section 933 with regard to the granting of home leave;"
(NOTE: See section 181.1-3 for section 933 of Foreign Service Act.)

"(2) the travel expenses of the members of the family of an officer or employee of the Service when proceeding to or returning from his post of duty; accompanying him on authorized home leave; accompanying him for representational purposes on authorized travel within the country of his assignment or, at the discretion of the Secretary, outside the country of his assignment, but in no case to exceed one member of his family; or otherwise traveling in accordance with authority granted pursuant to the terms of this chapter or any other Act;

"(3) the cost of transporting the furniture and household and personal effects of an officer or employee of the Service to his successive posts of duty and, on the termination of his services, to the place where he will reside;

"(4) the cost of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of an officer or employee of the Service, when he is absent from his post of assignment under orders, or when he is assigned to a post to which he cannot take or at which he is unable to use such furniture and household and personal effects, or when it is in the public interest or more economical to authorize storage; but in no instance shall the weight or volume of the effects stored together with the weight or volume of the effects transported exceed the maximum limitations fixed by regulations, when not otherwise fixed by law;

"(5) the cost of packing and unpacking, transporting to and from a place of storage, and storing the furniture and household and personal effects of an officer or employee of the Service in connection with assignment or transfer to a new post, from the date of his departure from his last post or from the date of his departure from his place of residence in the case of a new officer or employee and for not to exceed three months after arrival at the new post, or until the establishment of residence quarters, whichever shall be shorter; and, in connection with separation of an officer or employee of the Service, the cost of packing and unpacking, transporting to and from a place of storage, and storing for a period not to exceed three months, his furniture and household and personal effects; but in no instance shall the weight or volume of the effects stored together with the weight or volume of the effects transported exceed the maximum limitations fixed by regulations, when not otherwise fixed by law;

"(6) the travel expenses of the members of the family and the cost of transporting the personal effects and automobile of an officer or employee of the Service, whenever the travel of such officer or employee is occasioned by changes in the seat of the government whose capital is his post;

EXTRACT FROM FOREIGN AFFAIRS MANUAL, GENERAL SERVICES,
GENERAL TRAVEL PROVISIONS (Volume 6, paragraph 181.1-1)

(Attachment 2)

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7D07 Headquarters

The time is drawing nigh when I would like for the Task Force to start assembling its thoughts in a report. I think we should be able to say as one aspect of our activities that we have looked around town, not indiscriminately, but on the basic items of emerging concern. It would be nice if we could say we had checked out in addition to State, USIA, AID and FAS such principal agencies as NASA, TVA, AEC and maybe Commerce.

Would it be feasible for your librarian to glance over any of the basic laws that you may have of NASA, TVA, AEC and Commerce in order to detect any unusual authorities in the fields of travel, parking, employee services, training, etc. As you know, we are staying clear of salary, assumed to include overtime and special pays. Obviously, the effort should be a fast run-through, based on your understanding of our interests. No federal project is requested or intended.

As a guide, I have attached copies of our minutes and a briefing sheet on employee benefits.

I have enclosed two copies of the minutes of the last meeting. Please return one copy with any corrections and give the other to the librarian.

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